

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LASHAWN BURGESS,

Plaintiff,

-against-

CITY OF NEW YORK,
VINCENT AGOSTINO, Individually,
MICHAEL DICECCO, Individually, and
RICKY ALEXANDER, Individually,

Defendants.

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**DECLARATION OF
JASON LEVENTHAL**

15-CV-5525
(RRM)(MDG)

JASON LEVENTHAL declares under penalty of perjury, pursuant to 28 U.S.C. Section 1746, that the following is true and correct:

1. I am the principal of the Leventhal Law Group, P.C. and counsel for plaintiff Lashawn Burgess in the above-captioned action.
2. I make this declaration in support of Plaintiff's Memorandum of Law and Local Rule 56.1 Statement in opposition to Defendants' Motion for summary judgment.
3. Attached hereto as Exhibit A are excerpts from the deposition of plaintiff Lashawn Burgess conducted on September 7, 2016.
4. Attached hereto as Exhibit B are excerpts from the deposition of plaintiff Lashawn Burgess conducted on June 16, 2016.
5. Attached hereto as Exhibit C are excerpts from the deposition of Leroy Miller conducted September 8, 2016.
6. Attached hereto as Exhibit D are excerpts from the deposition of defendant Vincent Agostino conducted on June 22, 2016.
7. Attached hereto as Exhibit E are excerpts from the deposition of defendant Michael DiCecco conducted on June 21, 2016.

8. Attached hereto as Exhibit F are portions of the Richmond County District Attorney's Office file maintained as a result of plaintiff's false arrest and malicious prosecution at issue herein, Bates Stamped P012-P022.

9. Attached hereto as Exhibit G are excerpts from the deposition of defendant Ricky Alexander conducted on June 24, 2016.

10. Attached hereto as Exhibit H is a copy of the Richmond County Court Record of Court Action for People v. Lashawn Burgess, Docket Number 2014RI002024, Bates stamped P008-P009.

11. Attached hereto as Exhibit I is a copy of the Certificate of Disposition for People v. Lashawn Burgess, Docket Number 2014RI002024, Bates stamped P001.

12. Attached hereto as Exhibit J is a photograph depicting a portion of the intersection of Park Avenue and Church Street, Staten Island, New York authenticated by defendant Agostino during his deposition conducted on August 2, 2016.

13. Attached hereto as Exhibit K is the Declaration of Plaintiff Lashawn Burgess, dated May 25, 2017.

14. Attached hereto as Exhibit L is a copy of the Criminal Court Complaint, People v. Lashawn Burgess, Docket Number 2014RI 002024, Bates stamped P002-P003.

15. Attached hereto as Exhibit M are excerpts from the deposition of defendant Vincent Agostino conducted on August 2, 2016.

16. Attached hereto as Exhibit N is a copy of the New York City Police Department Arrest Tracking Sheet for Lashawn Burgess, Bates stamped DEF 074.

Dated: Brooklyn, New York
May 26, 2017

s/
JASON LEVENTHAL

UNITED STATES DISTRICT COURT
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Defendants.

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DECLARATION OF JASON LEVENTHAL

LEVENTHAL LAW GROUP, P.C.
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